

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

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CROSSROAD SYSTEMS (TEXAS), INC.,
Plaintiff,

-vs-

Case No. A-03-CA-754-SS

DOT HILL SYSTEMS CORPORATION,
Defendant.

ORDER

BE IT REMEMBERED on the 3rd day of March 2006 the Court called the above-captioned matter, and the parties appeared by and through counsel and presented all pending matters, and after appropriate consultation, advised the Court that all motions for discovery were withdrawn and that the parties had entered into agreements regarding the same, and the Court confirms the orders made orally in the record in this order.

IT IS ORDERED that plaintiff Crossroads Systems (Texas), Inc.'s "Motion for Partial Summary Judgment Regarding the Counterclaim of the Defendant Dot Hill Systems Corporation Relating to Alleged Failure to Disclose Information to Standards-setting Organizations" [#296] is GRANTED for the reason that any alleged failure to disclose to a third party such as standards-setting organizations would not be a defense in this case.

IT IS FURTHER ORDERED that the defendant Dot Hill Systems Corporation's Evidentiary Objections and Motion to Strike the Appendix [#309] relating to the plaintiff's motion for partial summary judgment is DISMISSED AS MOOT as the objections were cured by amended pleadings.

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IT IS FURTHER ORDERED that the defendant Dot Hill Systems Corporation's Motions for Summary Judgment of Patent Invalidity [#312] and that U.S. Patent No. 6,425,035 is Invalid [#313] are DENIED without prejudice to the filing of a Rule 50 motion at the appropriate time.

IT IS ORDERED that the defendant's Motion for Leave to File an Amended Answer [#316] is GRANTED, and the amended answer is ORDERED filed by the Clerk.

IT IS ORDERED that the defendant Dot Hill Systems Corporation's Motion to Compel Further Deposition Testimony [#318] and to Take Deposition of Crossroads' Expert [#334] as well as the plaintiff Crossroads Systems (Texas), Inc.'s Motion to Compel the Production and Documents and Testimony [#319] are all DISMISSED in light of the announcements made in open Court.

IT IS ORDERED that prior to April 7, 2006, the parties exchange their proposed form of verdict and confer regarding the same.

IT IS FURTHER ORDERED that on **April 7, 2006, at 1:30 p.m. in the United States Courthouse, Courtroom 2, 200 West Eighth Street, Austin, Texas 78701, the Court will hold a hearing** wherein the form of verdict to be utilized in the case will be prepared and ready for submission to the jury prior to opening statements.

IT IS FURTHER ORDERED that this case is set for **docket call on May 19, 2006, at 11:00 a.m.** in the United States Courthouse, Courtroom 2, 200 West Eighth Street, Austin, Texas 78701, with **jury selection and trial thereafter beginning on June 5, 2006.** Each side will be allowed fifteen (15) hours in trial beginning with opening statement and continuing through the close of evidence (including direct examination, cross examination,

and rebuttal). The parties agree to a jury of seven (7) with four peremptory challenges each and a verdict by no less than five (5), if necessary.

IT IS FINALLY ORDERED that at docket call the parties shall submit a short, one-paragraph statement of the parties' contentions, voir dire questions, proposed jury instructions, exhibit and witness lists, and any motions in limine.

SIGNED this the 6th day of March 2006.



UNITED STATES DISTRICT JUDGE